

OCTOBER 13, 2005

## City Council Minutes

The Round Rock City Council met in Regular Session on Thursday, October 13, 2005, in the City Council Chamber, 221 E. Main Street.

### CALL REGULAR SESSION TO ORDER – 7:00 P.M.

Mayor Maxwell called the meeting to order at 7:00 p.m.

### PLEDGE OF ALLEGIANCE

Mayor Maxwell led the Pledge of Allegiance.

### ROLL CALL:

Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Councilmember Rufus Honeycutt was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

### CITIZENS COMMUNICATIONS: None

### PRESENTATIONS:

5.A.1. Consider a presentation regarding a marketing plan for the Convention and Visitors Bureau. Nancy Yawn, Director of the Convention and Visitors Bureau made the staff presentation. The Council approved a contract with Tate Austin on October 14, 2004. The following is an update on the campaign.

#### Phase Two Review

- Budget: \$150,000
- Timeframe: 11 months
- Deliverables: 14
- Events & Activities: 2
- Awards: 9
- Result: State and nationwide support for the Sports Capital of Texas brand

#### Deliverables

- Advertising Campaign and Creative
- Marketing Collateral
  - Single-panel Rack Brochure (and Reprints)
  - Digital Announcement Postcard
  - Web site Sponsorship Page
  - Sports Capital of Texas Chairs (Reprints)
  - Tri-fold Sales Piece, Direct Mail Piece (Reprints)
- MVP Newsletter Template
- Chairing Certificate Template
- Research Surveys (MVPs; Hotel Alliance)
- Direct Mail Database
- Marketing Video Updates
- MVP Hotel Room Drop Item

#### Sample Deliverables

Ms. Yawn described the samples of the deliverables, which were shown to the Council.

#### Campaign Wins

- The Chair Phenomenon
- Awards Recently Won
  - TAMI Awards
    - First Place - Best use of a Promotional Item, the Chair
    - Finalist - Web site
  - NATJA

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- First Place - Web site
- 3CMA Silver Circle Winner National Level Award
- Communication Technology – Website

- Hotel Alliance Survey

In July, the Hotel Alliance received a short questionnaire asking for their feedback on the impact of the Sports Capital of Texas campaign. The following hotels completed the questionnaires:

- Best Western
- Candlewood Suites
- Country Inn & Suites
- Comfort Suites
- Days Inn & Suites
- Hampton Inn Round Rock
- Hilton Garden Inn
- Marriott Austin North at Round Rock
- Residence Inn Round Rock
- Wingate Inn and Conference Center

Survey Results

- Nine of the ten participants felt a positive impact on the hotel occupancy rates in the city.
- Half of the participants attributed the increase in occupancy rates to the city's focus on bringing more sports-related events to the city.
- The participants experienced positive feedback about the campaign from co-workers and people in the community.
- The most common responses for the top three reasons people stay at the participants' hotels were business trips, sports events and group events or meetings.

Occupancy Rate Comparison

Ms. Yawn outlined a graph showing a comparison of the hotel occupancy rate.

Hotel Tax Collected in 2003-2004 and 2004-2005

Ms. Yawn outlined a graph showing the hotel tax collected in 2003-04 and 2004-05.

Testimonials

Testimonials were shown to the Council.

Phase Three Preview

- Goal: Build on success of Sports Capital of Texas campaign, while establishing Round Rock as a tourism destination.
  - Establish a foundation for retail tourism outreach in 2006
- Sustain Sports Capital of Texas effort through direct marketing activities
  - Advertising, Direct Mail to MVPs
- Establish foundation for retail tourism outreach in 2006
- Develop positioning for destination retail
  - Central location
  - Premium shopping
- Create the tools to market Round Rock as a retail destination

PUBLIC HEARINGS:

6.A.1. Consider public testimony regarding the proposed annexation of 12.622 acres of land out of the Willis Donahue Survey. (CR 122 ROW Tract) Jim Stendebach, Planning and Community Development Director made the staff presentation. This is the second of

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two public hearings. This tract contains three parcels of land located within the City of Round Rock's ETJ and Williamson County and is part of the City of Round Rock's Master Transportation Plan. Staff recommended the annexation of this tract in order to expand the Arterial Roadway system and provide consistent police and fire protection.

Mayor Maxwell opened the public hearing. There being no public testimony the public hearing was closed.

6.A.2. Consider public testimony regarding the proposed annexation of 84.776 acres of land out of the Abel Eaves Survey. (Seton and Chandler ROW Tracts) Jim Stendebach, Planning Director made the staff presentation. This is the second public hearing for this tract. The tract contains four parcels of land located within the City of Round Rock's ETJ and Williamson County. Those are FM 1460 ROW – 6.019 acres; Chandler Road ROW – 6.913 acres; Nelson Tract – 0.324 acres; and Seton Tract – 71.52 acres.

The Seton and Chandler ROW tracts include the new Seton Medical Center site and adjacent roadways. The medical center is located adjacent to the new Texas State University campus. The annexation of the adjacent roadways will allow the City to annex land further to the east.

Mayor Maxwell opened the public hearing. There being no public testimony, the public hearing was closed.

6.A.3. Consider public testimony regarding the proposed annexation of 4.859 acres of land out of the Memucan Hunt Survey. (Louis Henna Boulevard and A.W. Grimes Boulevard ROW Tract) Jim Stendebach, Planning Director made the staff presentation. This is the second public hearing for this tract. The tract contains five parcels of land located within the City of Round Rock's ETJ and Williamson County. Those are for Louis Henna Boulevard – 0.387 acres; 0.340 acres; 1.79 acres and 1.882 acres and CR 170 ROW – 0.46 acres. These tracts are a part of the City of Round Rock's Master Transportation Plan. Staff recommended the annexation of this tract in order to expand the Arterial Roadway system and provide consistent police and fire protection.

Mayor Maxwell opened the public hearing. There being no public testimony, the public hearing was closed.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. Item 10.A.1. was withdrawn from the agenda at the request of staff.

\*8.A. Consider approval of the City Council minutes for August 17-18, 2005 and September 22, 2005.

\*9.B.1. Consider an ordinance amending Chapter 10, Sections 10.201 and 10.202 of the Round Rock Code of Ordinances (1995 Edition) regarding water and wastewater utility rates. (Second Reading)

\*10.A.1. Consider a resolution approving an exception to the park curfew regulations to allow overnight activity at Old Settlers Park at Palm Valley for a Barbecue Cook-off. *This item was withdrawn from the agenda at the request of staff.*

\*10.C.2. Consider a resolution expressing official intent to reimburse cost of acquiring certain vehicles and equipment.

\*10.E.2. Consider a resolution authorizing the Mayor to execute an Agreement for the Purchase of Generator Maintenance and Service with Austin Fleet Maintenance dba Fleet Maintenance of Texas.

\*10.F.2. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 to the Contract for Engineering Services with WHM Transportation Engineering Consultants, Inc. for design work on traffic signals at the intersection of RM 620 and the Round Rock Medical Center Entrance.

MOTION: Councilmember Rhode moved to approve all the remaining items on the consent agenda. Councilmember Salinas seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

\*8.A. Consider approval of the City Council minutes for August 17-18, 2005 and September 22, 2005. This item was approved under the consent agenda.

ORDINANCES:

9.A.1. Consider an ordinance amending Chapter 2, Sections 2.1300, 2.1904, and 2.1906 of the Round Rock Code of Ordinances (1995 Edition) regarding the licensing of dogs and cats. (First Reading) Police Captain Tim Ryle made the staff presentation. As the City assumes pet licensing, impound, and adoption functions, changes in the pertinent portions of the City Code are necessary. The following changes also set into ordinance the fees associated with these functions.

Fee	Cost
Impound Fee 1 <sup>st</sup> Offense	\$20.00
Impound Fee 2 <sup>nd</sup> and Subsequent Events	\$25.00
Boarding Fee per each 24 Hour Period or Portion Thereof	\$10.00
Rabies Quarantine per Day	\$15.00
Any Medical Costs Incurred	Actual Cost
Adoption Fee – All Animals	\$75.00
License Fee – Sterilized Animal	\$5.00
License Fee – Non-sterilized Animal	\$10.00
License Fee – Service Dogs and Senior Citizens	No Charge

These changes are partly associated with the City contracting with the City of Pflugerville for animal boarding services.

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AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 2, SECTION 2.1300 LICENSING OF DOGS AND CATS AND ESTABLISHING A LICENSE FEE AMOUNT; AND AMENDING SECTION 2.1904 IMPOUNDED ANIMAL BECOMES PROPERTY OF CITY AND ESTABLISHING AN ADOPTION FEE; AND AMENDING SECTION 2.1906 RECLAIMING ANIMALS AND IMPOUNDMENT FEES TO ESTABLISH RECLAMATION AND IMPOUNDMENT FEES ; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

**MOTION:** Councilmember Rhode moved to adopt the ordinance. Councilmember Clifford seconded the motion.

**VOTE:**            **Ayes:**            Mayor Pro-tem McGraw  
   Councilmember Clifford  
   Councilmember Salinas  
   Councilmember Rhode  
   Mayor Maxwell  
   **Nays:**            None  
   **Absent:**           Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

\*9.B.1. Consider an ordinance amending Chapter 10, Sections 10.201 and 10.202 of the Round Rock Code of Ordinances (1995 Edition) regarding water and wastewater utility rates. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 10, SECTIONS 10.201 AND 10.202, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AMENDING WATER AND WASTEWATER UTILITY RATES; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

9.B.2. Consider an ordinance approving Amendment No. 2 to the FY 2004-2005 Operating Budget. (First Reading) Cindy Demers, Finance Director made the staff presentation. This budget amendment allocates available cash from fiscal year 2004-2005 to specified capital purchases and capital projects. The available funds are provided primarily due to the collection of additional sales tax revenues, other revenues and departmental budget savings. The amendment also reflects the planned allocation of available funds from the utility operating fund to the utility capital construction program. Ms. Demers outlined the Budget Revision No. 2:

<u>General Fund</u>	<u>FY 2005</u>
<u>Revenue Adjustments</u>	
Sales Tax	\$5,000,000
Net Additional Revenue	<u>1,353,000</u>
Total Revenue Adjustments – General Fund	\$6,353,000
<u>Expenditure/Transfer Adjustments</u>	
Net Department Savings	(1,337,000)
Capital Items FY 2005 & FY 2006	933,200
2006 Capital Spending Plan – Police Building	6,556,800
2006 Capital Spending Plan – Pool & Skate Park	<u>200,000</u>
Total Expenditure Adjustments – General Fund	<u><u>6,353,000</u></u>
<u>Utility Fund</u>	
<u>Revenue Adjustment</u>	
No Revenue Adjustments	
<u>Transfer Adjustment</u>	
Transfer to Self-Financed Capital Projects	<u>(12,300,000)</u>
Total Transfer Adjustments – Utility Fund	<u><u>(12,300,000)</u></u>

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Capital Funding Items FY 2005

Generator for City Hall	\$121,000
Radio System Study (CWICS)	<u>73,000</u>
Total for FY 2005	\$194,000

Capital Funding Items FY 2006

Media Integration with Website (Administration)	\$33,350
Bulletin Boards (Administration)	10,000
Digital Records Management (Administration)	42,000
Channel 10 Server Replacement (Administration)	12,240
Storage Room Finish-Out (Planning)	79,390
CD Music Displays (Library)	5,800
3 Police Vehicles (Police)	168,000
Breathing Air Compressor (Fire)	53,000
Recruiting Self-Service Module (Human Resources)	20,420
Public Works Master Plan (Public Works)	50,000
Pothole Patcher (Street)	95,000
Small Engine Expansion (City Shop)	40,000
Parts Room Expansion (City Shop)	<u>130,000</u>
Total for FY 2006	739,200
Total Capital Items	<u>\$933,200</u>

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR AMENDMENT NO. 2 TO THE OPERATING BUDGET OF THE CITY OF ROUND ROCK, TEXAS FOR FISCAL YEAR 2004-2005.

MOTION: Mayor Pro-tem McGraw moved to adopt the ordinance. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

9.B.3. Consider an ordinance adopting the proposed Library Fund Budget for FY 2005-2006. (First Reading) Cindy Demers, Finance Director made the staff presentation. This fund accounts for donations by patrons of the library for various book and videos to be purchased and housed in the Library. Ms. Demers outlined the following budget.

Estimated Fund Balance 10/01/05	\$14,282
Less: Department Reserves	<u>(11,798)</u>
	\$2,484
<u>Revenues</u>	
Interest Income	116
Library Donations	<u>800</u>
Total Revenues	916
 Total Funds Available	 3,400
<u>Expenditures</u>	
Fiction Books and Materials	<u>3,400</u>
Total Expenditures	<u>3,400</u>
 Estimated Unreserved Fund Balance 9/30/06	 <u>(\$0)</u>

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE LIBRARY FUND FOR THE 2005-2006 FISCAL YEAR.

MOTION: Councilmember Clifford moved to adopt the ordinance. Councilmember Salinas seconded the motion.

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**VOTE:**                      Ayes:                      Mayor Pro-tem McGraw  
   Councilmember Clifford  
   Councilmember Salinas  
   Councilmember Rhode  
   Mayor Maxwell  
   Nays:                      None  
   Absent:                      Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

9.B.4. Consider an ordinance adopting the Park Development Budget for FY 2005-2006. (First Reading) Cindy Demers, Finance Director made the staff presentation. This fund accounts for the collection and expenditure of fees from two specific parks and recreation related sources: sports league teams fees used for the improvement of facilities; and, park development fees collected from developers of subdivisions who choose to provide cash in lieu of designating parkland. These funds are restricted based on guidelines provided in the subdivision ordinance. This fund also accounts for any specific donations the City may receive related to Parks improvements. Ms. Demers outlined the following budget.

Estimated Fund Balance 10/1/05	\$35,916
Add: Deferred Revenue – Parkland Fees	20,753
Less: Ball field Reserves	<u>(30,751)</u>
	\$25,918
<u>Revenues</u>	
Sports League Fees	\$8,000
Interest Income	<u>525</u>
Total Revenues	\$8,525
 Total Funds Available	 \$34,443
<u>Expenditures</u>	
McNeil Park	
Ball field Improvements	0
 <u>Unspecified</u>	
Playground Equipment	0
 <u>Parkland Development</u>	
Parkland Development	0
 Total Expenditures	 \$ 0
 Estimated Unreserved Fund Balance 9/30/06	 <u>\$34,443</u>

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE PARK DEVELOPMENT FUND FOR THE 2005-2006 FISCAL YEAR.

**MOTION:** Councilmember Rhode moved to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE:            Ayes:            Mayor Pro-tem McGraw  
   Councilmember Clifford  
   Councilmember Salinas  
   Councilmember Rhode  
   Mayor Maxwell  
                         Nays:            None  
                         Absent:            Councilmember Honeycutt

ACTION: The motion carried unanimously.

9.B.5. Consider an ordinance adopting the Tree Replacement Fund Budget for FY 2005-2006. (First Reading) Cindy Demers, Finance Director made the staff presentation. The Protected Trees Ordinance requires a fee for removal of protected trees meeting criteria outlined in the ordinance. Removed trees are replaced with trees and irrigation systems,

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which comply with the ordinance guidelines. Fees generated under the Tree Protection ordinance provides funding for the protection, maintenance and management of the City's existing forest resources to minimize tree loss and provide for replacement of trees removed resulting from new development. Ms. Demers outlined the following budget.

Estimated Fund Balance 10/1/05	\$28,637
Less: Departmental Reserves	<u>(5,000)</u>
	\$23,637
<u>Revenues</u>	
Tree replacement fees	5,000
Donations/Contributions	3,125
Interest Income	<u>373</u>
Total Revenues	\$8,498
Total Funds Available	\$32,135
<u>Expenditures</u>	
Tree Planting	<u>\$20,000</u>
Sub Total	\$20,000
Total Expenditures	\$20,000
Estimated Unreserved Fund Balance 9/30/06	\$12,135

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE TREE REPLACEMENT FUND FOR THE 2005-2006 FISCAL YEAR.

MOTION: Mayor Pro-tem McGraw moved to adopt the ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

9.B.6. Consider an ordinance adopting the Forest Creek Golf Course Capital Budget for FY 2005-2006. (First Reading) Cindy Demers, Finance Director made the staff presentation. The City owns Forest Creek Golf course and has contracted with CCA Silband/ GolfCorp/Round Rock Inc. (On-Course Strategies) to manage and operate the course. As part of the agreement, the operator prepares a capital budget for capital improvements and equipment. The budget is funded by 3% of gross fees generated by the course and submitted to the City on a monthly basis. The course has always been self-supporting and no tax money or general revenues have been required to operate the course or to pay debt service. Ms. Demers outlined the following budget.

Estimated Fund Balance 10/01/05	\$15,028
Less: Department Reserves	<u>(5,000)</u>
	\$10,028
<u>Revenues</u>	
Gross Receipts (at 3%)	50,000
Interest	<u>464</u>
Total Revenues	\$50,464
Total Funds Available	\$60,492



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Expenditures

Golf Course Equipment and Machinery	\$33,850
Contingency	<u>16,663</u>
Total Expenditures	\$50,513
Estimated Unreserved	\$ 9,979

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FOREST CREEK GOLF COURSE FOR FISCAL YEAR 2005-2006.

MOTION: Councilmember Clifford moved to adopt the ordinance. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

RESOLUTIONS:

\*10.A.1. Consider a resolution approving an exception to the park curfew regulations to allow overnight activity at Old Settlers Park at Palm Valley for a Barbecue Cook-off. This item was withdrawn from the agenda at the request of staff.

10.A.2. Consider a resolution authorizing the Mayor to execute a grant agreement with the Texas Parks & Wildlife Department for an outdoor recreation grant for the Greater Lake Creek Park. Rick Atkins, Parks and Recreation Director made the staff presentation. The Greater Lake Creek Park Project involves three existing park properties and several parcels of land that the City already has or will acquire through the platting process of new neighborhoods. Clay Madsen Park, Greenlawn Park, and Lake Creek Park will all receive improvements in the form of new development and/or renovations. These three parks will be connected with a hike & bike trail. Also included in this project will be the City's first skate park, dog park, and inline hockey facility. This project is partially funded by a Texas Parks and Wildlife Department Grant. The City has also submitted an application for a grant from the Lower Colorado River Authority. The Parks and Recreation department has received several petitions and numerous requests over the past three years for a dog park and a skate park and several public hearings associated with the grant applications were held.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Texas Parks and Wildlife Department has grant funds available through the Texas Recreation and Parks Account Grant Program, and  
WHEREAS, the City Council wishes to enter into a Texas Recreation and Parks Account Agreement for the available grant funds for the Greater Lake Creek Park Project, Now Therefore  
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,  
That the Mayor is hereby authorized and directed to execute on behalf of the City a Texas Recreation and Parks Account Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

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The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

**MOTION:** Mayor Pro-tem McGraw moved to adopt the resolution. Councilmember

Clifford seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

10.B.1. Consider a resolution authorizing the Mayor to execute an Agreement for the Purchase of Police and Fire Department Uniforms from Miller Uniforms & Emblems, Inc.

Chief of Police Bryan Williams made the staff presentation. This contract is for the purchase of Police and Fire uniforms. As a result of the city's bid process, Miller Uniforms & Emblems Inc. was found to submit the best bid. The contract sets out the prices for the various uniform pieces. The estimated cost for FY 2005-2006 is \$85,000. The term of the agreement is for 12 months and is renewable for a period not to exceed 4 years.

RESOLUTION NO.

WHEREAS, the City of Round Rock has duly advertised for bids for the purchase of uniforms for the Police and Fire Departments, and

WHEREAS, Miller Uniforms & Emblems, Inc. has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Miller Uniforms & Emblems, Inc.; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Purchase of Police and Fire Department Uniforms with Miller Uniforms & Emblems, Inc., a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

**MOTION:** Councilmember Rhode moved to adopt the resolution. Councilmember

Salinas seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

10.B.2. Consider a resolution authorizing the Mayor to execute a grant agreement with the U.S. Department of Justice, Office of Justice Programs for a Justice Assistance Grant. Chief of Police Bryan Williams made the staff presentation. This past spring, the

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Police Department applied for funding with the Edward Byrne Justice Assistance Program. These funds will be used to purchase equipment for the department’s patrol and dispatch functions. The Council approved the original application for these funds on March 24, 2005. The cost of the agreement is for \$13,241.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the U.S. Department of Justice, has grant funds available to cities for various law enforcement projects, and

WHEREAS, the City Council wishes to enter into a Grant Agreement with the U.S. Department of Justice for Office of Justice Programs grant funds for the procurement of equipment, technology, and other material directly related to basic law enforcement functions, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Grant Agreement, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Clifford moved to adopt the resolution. Mayor Pro-tem McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.C.1. Consider a resolution authorizing the filing of applications with the Federal Transit Administration for federal transportation assistance. Cindy Demers, Finance Director made the staff presentation. This resolution authorizes the City Manager to file the required certifications and assurances and any additional documentation to the FTA in order for the City to qualify as a grantee for federal transportation dollars under Section 5307. Under this status, the City will be able to request reimbursement of certain transportation related expenditures. The City previously entered into an interlocal agreement with Capital Metro to enable the City to access FTA Section 5307 funding generated by Round Rock residents. The City is working with The Goodman Corporation and Capital Metro to access funds for the reimbursement of expenditures previously spent by the City for the CARTS program. These funds are expected to be available from Capital Metro by November of this year. This resolution is the next step for the City to receive FTA funds as a grantee.

A representative of the Goodman Company outlined the steps for the City to become a federal administrator grantee.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION) FOR FEDERAL TRANSPORTATION ASSISTANCE

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AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23, UNITED STATES CODE, AND OTHER  
FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the City of Round Rock as Applicant, and may require the City of Round Rock to provide the local share of the project cost; and

WHEREAS, the City of Round Rock has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Manager of the City of Round Rock, Texas is hereby authorized to execute and file an application for Federal assistance on behalf of the City with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.

That the City of Round Rock is the Designated Recipient, as defined by 49 U.S.C. Section 5307(a)(2), for Urbanized Area Formula Program assistance.

That the City Manager of the City of Round Rock, Texas is authorized to execute and file with the City's applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.

That the City Manager of the City of Round Rock, Texas is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Round Rock, Texas.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Rhode moved to adopt the resolution. Councilmember

Clifford seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

\*10.C.2. Consider a resolution expressing official intent to reimburse cost of

acquiring certain vehicles and equipment. This item was approved under the consent agenda.

RESOLUTION NO.

WHEREAS, the City of Round Rock, Texas (the "Issuer") is a home-rule City of the State of Texas, and

WHEREAS, the Issuer expects to pay expenditures in connection with acquiring certain vehicles and equipment (the "Property") prior to the issuance of obligations to finance the Property, and

WHEREAS, the Issuer finds, considers, and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

1.

That the Issuer reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount equal to \$600,000 for the purpose of paying the costs of the Property.

11.

That all costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

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III.

The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

IV.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

10.D.1. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with Travis County Emergency Services District No. 2 for radio devices to be attached to city-owned elevated storage tanks. Tom Clark, Director of Utilities made the staff presentation. Travis County Emergency Services District No. 2 made a request to place radio antennas on both the High Country Elevated Water Storage Tank and the Chisholm Valley Elevated Water Storage. The EDS requires additional relay points to improve their emergency network and radio dispatch communications system to assist with their emergency notifications systems within both Travis County and the corporate limits of the City of Round Rock. Staff in conjunction with the Legal Department developed an Interlocal Agreement acceptable to both parties. The agreement allows Travis County Emergency Services District No. 2 to place an antenna on each of the two tanks, and compensates \$1,000 to the City to cover the costs associated with placing the attachments on the tanks. The term of the agreement is for 12 months and is renewable for a period not to exceed 5 years.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Agreement with the Travis County Emergency Service District #2 for radio devices to be attached to city-owned elevated storage tanks, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said Interlocal Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005

MOTION: Mayor Pro-tem McGraw moved to adopt the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt
<u>ACTION:</u>		The motion carried unanimously.

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10.D.2. Consider a resolution authorizing the Mayor to execute a contract with Boretex, L.L.C. for the Gattis School Road Water Line Improvements Project. Tom Clark, Director of Utilities made the staff presentation. On September 6, 2005 seven bids were received for the Gattis School Road Water Line Improvements Project and the low bid of \$251,575.00 was from Boretex, LLC. Based on the review of the bids by staff and the project engineer, S.D. Kallman, L.P., it was recommended that the bid be awarded to the low bidder, Boretex, LLC. The installation of this 12" waterline will allow the City to increase well water use by approximately one million gallons of water per day. The service area for the current water well system is primarily in the downtown area and the additional piping will increase the service area for well water use to the City's southeast. Other than pumping and disinfection cost, well water is free compared to untreated surface water which costs \$0.15 per 1,000 gallons. The projected annual savings to the City for the water alone is approximately \$55,000 and it is anticipated the project will pay for itself in less than five years. The proposed waterline will connect a 16" waterline in South Mays Avenue to a 12" waterline located in Gattis School Road. The construction cost was budgeted at \$270,000.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has duly advertised for bids for the Gattis School Road Water Line Improvements Project, and

WHEREAS, Boretex, L.L.C. has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Boretex, L.L.C., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a contract with Boretex, L.L.C. for the Gattis School Road Water Line Improvements Project.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Rhode moved to adopt the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.E.1. Consider a resolution authorizing the Mayor to execute a Standard Form of Agreement between Owner and Architect with Standard Form of Architect's Services with R. Gill & Associates for the design of Clubhouse Renovations, addition of a Pavilion and Parking Lot Improvements for the Forest Creek Golf Course. Larry Madsen, Building Construction Manager made the staff presentation. Improvements to the Forest Creek Golf Course will include Clubhouse Renovations as well as a new Event Pavilion addition to provide dining for

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approximately 150 people. The clubhouse renovations would improve capabilities for food preparation and the pavilion would provide an indoor/outdoor facility to house non-golf portions of tournaments and events. R. Gill and Associates designed the original project and staff felt with their prior history, qualifications and plans would be an excellent choice for this project. The agreement includes architecture design, mechanical/electrical/plumbing engineering, civil and structural engineering, as well as landscape design. The cost of this agreement is \$57,275.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock desires to retain professional architectural services for the design of clubhouse renovations, addition of pavilion, and parking lot improvements for the Forest Creek Golf Course, and

WHEREAS, R. Gill & Associates has submitted a Standard Form of Agreement Between Owner and Architect with Standard Form of Architect's Services ("Agreement") to provide said services, and

WHEREAS, the City Council desires to enter into said Agreement with R. Gill & Associates, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Standard Form of Agreement Between Owner and Architect with Standard Form of Architect's Services ("Agreement") with R. Gill & Associates for the design of clubhouse renovations, addition of pavilion, and parking lot improvements for the Forest Creek Golf Course, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Clifford moved to adopt the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

\*10.E.2. Consider a resolution authorizing the Mayor to execute an Agreement for the Purchase of Generator Maintenance and Service with Austin Fleet Maintenance dba Fleet Maintenance of Texas. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has duly advertised for bids for generator maintenance and service, and

WHEREAS, Austin Fleet Maintenance dba Fleet Maintenance of Texas has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Austin Fleet Maintenance dba Fleet Maintenance of Texas, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Purchase of Generator Maintenance and Service with Austin Fleet Maintenance dba Fleet Maintenance of Texas, a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this

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Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

10.F.1. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the A.W. Grimes Boulevard Project, Phase II. Tom Martin, Director of Transportation Services made the staff presentation.

The A.W. Grimes Boulevard Phase II of this project, which is from Lake Creek to US 79, was awarded to RGM Constructors, L.P. on July 14, 2005. Construction began on September 13, 2005. Additional engineering services are required with HDR Engineering, Inc., for support and coordination with the Union Pacific Railroad to provide right-of-way documentation, and archeological investigation for the A.W. Grimes Boulevard/Brushy Creek crossing. The cost of the contract is \$49, 370.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock desires to retain engineering services for the A.W. Grimes Boulevard Project, Phase II (from US 79 to Lake Creek), and

WHEREAS, HDR Engineering, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HDR Engineering, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HDR Engineering, Inc., for the A.W. Grimes Boulevard Project Phase II (from US 79 to Lake Creek), a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Salinas moved to adopt the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

\*10.F.2. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 to the Contract for Engineering Services with WHM Transportation Engineering Consultants, Inc. for design work on traffic signals at the intersection of RM 620 and the Round Rock Medical Center Entrance. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has previously entered into a Contract for Engineering Services ("Contract") with WHM Transportation Engineering Consultants, Inc. for design work on traffic signals at the intersection of RM 620 and the Round Rock Medical Center entrance, and



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WHEREAS, WHM Transportation Engineering Consultants, Inc. has submitted Supplemental Contract No. 1 to the Contract for Engineering Services for a change in the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Contract No. 1 with WHM Transportation Engineering Consultants, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Contract No. 1 to the Contract for Engineering Services with WHM Transportation Engineering Consultants, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

10.F.3. Consider a resolution authorizing the Mayor to execute a Reimbursement Agreement with McLeod USA Telecommunications Services for the IH-35 Area Improvements Project. Tom Martin, Director of Transportation Services made the staff presentation. This work is for the relocation of utilities within the right-of-way of the IH-35 Area Improvements Project. The cable location is in conflict with Chandler Road in conjunction with the IH-35 area improvements project. This project was awarded by the Highway Commission in September and is scheduled for construction in December. This agreement will provide reimbursement to McLeod USA Communications for adjusting the location of their fiber optic cable. The cost of this agreement is \$ 122, 285.00.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock wishes to enter into a Reimbursement Agreement with McLeod USA Telecommunications Services ("McLeod") for the relocation of fiber optic cables owned by McLeod in connection with the IH-35 Area Improvements Project, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said Reimbursement Agreement with McLeod USA Telecommunications Services, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

MOTION: Councilmember Clifford moved to adopt the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.G.1. Consider a resolution authorizing the Mayor to execute a Convention and Visitors Bureau Event Funding Agreement with the Round Rock Community Choir. Nancy Yawn, Director of the Convention and Visitors Bureau made the staff presentation. These funds were approved in the proposed Hotel Tax Budget for Event Funding. The event

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sponsor applications were reviewed by the Tourism Commission on July 26, 2005. The Choir requested funding of \$10, 000; the commission recommended funding of \$7,500. The presentation of the Tourism Commission’s recommendation was made by Nancy Yawn at the September 8, 2005 Council meeting.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has adopted a Hotel Occupancy Tax in accordance with V.T.C.A., Tax Code §351.002, and

WHEREAS, the City evaluates funding requests from local agencies to help fund community events which will directly enhance and promote tourism and the convention and local hotel industry, and

WHEREAS, in accordance with V.T.C.A., Tax Code §351.101, the City has received a request for event funding from the Round Rock Community Choir (“Agency”), and

WHEREAS, the City Council hereby determines that the requested funds will be used for the encouragement, promotion, improvement, and application of the arts, relating to the presentation, performance, execution and exhibition of major art forms, and

WHEREAS, the City Council desires to enter into a Convention and Visitors Bureau Event Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Convention and Visitors Bureau Event Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

MOTION: Mayor Pro-tem McGraw moved to adopt the resolution and that the funding for the Round Rock Community Choir is \$10,000. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode
	Nays:	Mayor Maxwell
	Absent:	Councilmember Honeycutt

ACTION: The motion carried with 4 ayes and 1 nay.

10.G.2. Consider a resolution authorizing the Mayor to execute a Convention and Visitors Bureau Event Funding Agreement with the Palm House Museum Association. Nancy Yawn, Director of the Convention and Visitors Bureau made the staff presentation. These funds were approved in the proposed Hotel Tax Budget for Event Funding. The event sponsor applications were reviewed by the Tourism Commission on July 26, 2005. The amount of requested was \$8,000; the Tourism Commission recommended \$8,000 for approval.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has adopted a Hotel Occupancy Tax in accordance with V.T.C.A., Tax Code §351.002, and

WHEREAS, the City evaluates funding requests from local agencies to help fund community events which will directly enhance and promote tourism and the convention and local hotel industry, and

WHEREAS, in accordance with V.T.C.A., Tax Code §351.101, the City has received a request for event funding from the Palm House Museum Association (“Agency”), and

WHEREAS, the City Council hereby determines that the requested funds will be used for historical restoration and preservation projects and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums, and

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WHEREAS, the City Council desires to enter into a Convention and Visitors Bureau Event Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Convention and Visitors Bureau Event Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

MOTION: Councilmember Rhode moved to adopt the resolution and that the funding for the Palm House Museum Association is \$8,000. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.G.3. Consider a resolution authorizing the Mayor to execute a Convention and Visitors Bureau Event Funding Agreement with the Sam Bass Community Theatre. Nancy Yawn, Director of the Convention and Visitors Bureau made the staff presentation. These funds were approved in the proposed Hotel Tax Budget for Event Funding. The event sponsor applications were reviewed by the Tourism Commission on July 2, 2005. Sam Bass Theatre requested funds of \$9,000; the Tourism Commission recommended funding for \$6,000. The presentation of the Tourism Commission's recommendation was made to the Council by Nancy Yawn at the September 8, 2005 Council meeting.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has adopted a Hotel Occupancy Tax in accordance with V.T.C.A., Tax Code §351.002, and

WHEREAS, the City evaluates funding requests from local agencies to help fund community events which will directly enhance and promote tourism and the convention and local hotel industry, and

WHEREAS, in accordance with V.T.C.A., Tax Code §351.101, the City has received a request for event funding from the Sam Bass Theatre Association ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for the encouragement, promotion, improvement, and application of the arts, relating to the presentation, performance, execution and exhibition of major art forms, and

WHEREAS, the City Council desires to enter into a Convention and Visitors Bureau Event Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Convention and Visitors Bureau Event Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

MOTION: Councilmember Salinas moved to adopt the resolution and that the funding for the Sam Bass Theatre is \$9,000. Mayor Pro-tem McGraw seconded the motion.

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VOTE:

Ayes:	Mayor Pro-tem McGraw
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
Nays:	Mayor Maxwell
Absent:	Councilmember Honeycutt

ACTION: The motion carried with 4 ayes and 1 nay.

10.G.4. Consider a resolution authorizing the Mayor to execute a Convention and Visitors Bureau Event Funding Agreement with El Amistad Club of Round Rock for Fiesta Amistad. Nancy Yawn, Director of the Convention and Visitors Bureau made the staff presentation. These funds were approved in the proposed Hotel Tax Budget for Event Funding. The event sponsor applications were reviewed by the Tourism Commission on July 26, 2005. El Amistad requested \$2,500; the Tourism Commission recommended funding \$2,500. The presentation of the Tourism Commission's recommendation was made to the Council by Nancy Yawn on September 8, 2005.

## RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has adopted a Hotel Occupancy Tax in accordance with V.T.C.A., Tax Code §351.002, and

WHEREAS, the City evaluates funding requests from local agencies to help fund community events which will directly enhance and promote tourism and the convention and local hotel industry, and

WHEREAS, in accordance with V.T.C.A., Tax Code §351.101, the City has received a request for event funding from the El Amistad Club of Round Rock ("Agency") for Fiesta Amistad, and

WHEREAS, the City Council hereby determines that the requested funds will be used for advertising and conducting solicitations and promotional programs to attract tourists and convention delegates to the area, and for the encouragement, promotion, improvement, and application of the arts, relating to the presentation, performance, execution and exhibition of major art forms, and

WHEREAS, the City Council desires to enter into a Convention and Visitors Bureau Event Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Convention and Visitors Bureau Event Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

**MOTION:** Councilmember Salinas moved to adopt the resolution and that the funding for the Fiesta Amistad is \$2,500. Councilmember Rhode seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

10.G.5. Consider a resolution of support for Concordia University to locate to Round Rock. Jim Nuse, City Manager made the staff presentation. Concordia received offers from thirty different cities and individuals for new campus locations, including one in Round Rock in Avery Farms from the Avery Family, composed of Charles, John and Nelson Avery and

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Christina Avery Fell. The City of Round Rock supports and endorses the efforts to add Concordia University to the growing educational and medical center at Avery Farms in Northeast Round Rock on FM 1460, which would tremendously increase the educational opportunities for the citizens of Round Rock.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Concordia University at Austin is a private, coeducational institution of liberal arts and sciences offering 22 undergraduate majors in four colleges plus a Masters in Education graduate degree, and an Accelerated Degree Program for part-time and adult students; and

WHEREAS, on February 26, 2005, the Board of Regents of Concordia University at Austin voted to consider selling the existing Austin campus assuming that a suitable new location in central Texas could be selected within a reasonable amount of time; and

WHEREAS, Round Rock is in the center of a rapidly growing and dynamic region and the population and employment opportunities of Round Rock and Williamson County are expected to increase dramatically in the coming years; and

WHEREAS, Concordia received offers from thirty different cities and individuals for new campus locations, including one in Round Rock from the Avery Family, composed of Charles, John and Nelson Avery and Christina Avery Fell; and

WHEREAS, in September of 2005, Concordia narrowed the list of potential sites to two locations, one being Avery Farms in Northeast Round Rock on FM 1460; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City of Round Rock supports and endorses the efforts to add Concordia University to the growing educational and medical center at Avery Farms which would tremendously increase the educational opportunities for the citizens of Round Rock, Williamson County, and all of Central Texas.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Rhode moved to adopt the resolution. Councilmember

Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.H.1. Consider a resolution authorizing the Mayor to execute a Funding Approval/Agreement with the U.S. Department of Housing and Urban Development for Community Development Block Grant funds for Program Year 2005-2006. Mona Ryan made the staff presentation. This constitutes the contract between the Department of Housing and Urban Development and the City of Round Rock for use of Community Development Block Grant Funds. All activities approved in the 2005-2006 Second Program Year Action Plan will be funded with this money. The cost of the agreement is \$432,202.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has grant funds available to cities through the Community Development Block Grant Program, and

WHEREAS, the City Council wishes to make application for the available grant funds for specific projects and activities identified in the 2005-2006 Second Program Year Action Plan that was adopted by the City Council on August 11, 2005, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

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That the Mayor is hereby authorized and directed to execute on behalf of the City a Funding Approval/Agreement with HUD for the above-described grant, a copy of said Approval/Agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

**MOTION:** Councilmember Rhode moved to adopt the resolution. Mayor Pro-tem

McGraw seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
Nays:	None
Absent:	Councilmember Honeycutt

**ACTION:** The motion carried unanimously.

10.H.2. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant Agreement with the Round Rock Area Serving Center in the amount of \$35,000. Mona Ryan made the staff presentation. The Serving Center applied for funds to purchase bricks that will be used to complete the siding on their new facility that will house the food pantry. This contract allows the Serving Center 15 months to use these funds due to construction involved. The contract period begins 10/1/04 and expires 12/30/05. This activity is approved in the 2004-2005 Community Development Action Plan that was adopted by Resolution R-04-07-22-13C1 along with the Five Year Plan. The cost of the agreement is \$35,000.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383, and

WHEREAS, the City of Round Rock wishes to engage the Round Rock Area Serving Center to assist the City in utilizing said funds, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant Agreement with the Round Rock Area Serving Center, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant Agreement with the Round Rock Area Serving Center, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Salinas moved to adopt the resolution. Mayor Pro-tem

McGraw seconded the motion.

VOTE:

Ayes:	Mayor Pro-tem McGraw
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Mayor Maxwell

OCTOBER 13, 2005

Nays: None  
Absent: Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.H.3. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant Agreement with the Williamson County Crisis Center in the amount of \$10,000. Mona Ryan made the staff presentation. The Crisis Center applied for funds to install a fire alarm safety system for their 6,000 square foot facility. This contract allows the Crisis Center 15 months to use these funds due to construction involved. The contract period begins 10/1/04 and expires 12/30/05. This activity is approved in the 2004-2005 Community Development Action Plan that was adopted by Resolution R-04-07-22-13C1 along with the Five Year Plan. The cost of the agreement is \$10,000.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383, and

WHEREAS, the City of Round Rock wishes to engage The Williamson County Crisis Center to assist the City in utilizing said funds, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant Agreement with The Williamson County Crisis Center, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant Agreement with The Williamson County Crisis Center, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Councilmember Clifford moved to adopt the resolution. Councilmember Rhode seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw  
Councilmember Clifford  
Councilmember Salinas  
Councilmember Rhode  
Mayor Maxwell  
Nays: None  
Absent: Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.H.4. Consider a resolution consenting to the annexation of approximately 29.4 acres of land into the Brushy Creek Municipal Utility District. Jim Stendebach, Planning and Community Development Director made the staff presentation. These tracts are not contiguous to the current city limits and there are no plans to annex further west along Sam Bass Road. The 29.4 acres that will be annexed by the MUD are the sites of the New Water Treatment facility on Sam Bass Road and the Wastewater Plant on Brushy Creek.

RESOLUTION NO.

A RESOLUTION CONSENTING TO THE ADDITION OF 29.4 ACRES OF LAND TO BRUSHY CREEK MUNICIPAL UTILITY DISTRICT FOR INCLUSION IN SAID DISTRICT.

WHEREAS, attached to this resolution and made a part hereof is a petition requesting the consent of the City of Round Rock, Texas, to the annexation of three tracts of land

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consisting of 29.4 acres of land into the Brushy Creek Municipal Utility District, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Petition for Water and Wastewater Service into Brushy Creek Municipal District, attached hereto as Exhibit "A" and incorporated herein, is hereby granted, and the City consents to the annexation of the property described in said petition into the Brushy Creek Municipal Utility District.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13<sup>th</sup> day of October, 2005.

MOTION: Councilmember Rhode moved to adopt the resolution. Mayor Pro-tem

McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

10.H.5. Consider a resolution authorizing the Mayor to execute a Consent

Agreement with Merion 100, L.P. consenting to the creation of Walsh Ranch Municipal Utility

District. Jim Stendebach, Planning and Community Development Director made the staff presentation. The following are the main provisions of the consent agreement:

- 1) The MUD would provide services to the 40 acre Middle School site which abuts the development.
- 2) The approved Preliminary plat is attached as an exhibit.
- 3) The developer will donate 15 acres of parkland west of IH-35.
- 4) Developer will acquire the portions of Behrens Ranch Parkway required to extend the road from Behrens Ranch to Great Oaks Blvd. and pay to extend the roadway.
- 5) MUD is solely responsible for any lift stations.
- 6) MUD will negotiate a Fire Protection agreement with the City.
- 7) All subdivision improvements will meet city standards.
- 8) City will provide wholesale water and wastewater services.
- 9) Developer will provide widening for Sam Bass Road and contribute \$37,500 for future traffic signals.
- 10) Developer or MUD will provide easements from Highland Joint Venture for a second water line.
- 11) Development will pay City impact fees.

The Walsh Ranch, located west of Behrens Ranch on Sam Bass Road has a preliminary plat approved. However, the city cannot service this area because a landowner of a 100-foot wide strip of land between Behrens Ranch and Walsh Ranch will not agree to provide the easements and Rights of Way to connect to City Services and extends Behrens Ranch Parkway to Great Oaks Boulevard. Therefore, the developer has requested a MUD to permit him to develop without requiring the city to condemn property.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Merion 100, L.P. ("Developer") is the owner of approximately 99.52 acres of land located within the extraterritorial jurisdiction of the City of Round Rock ("City"), and

WHEREAS, Developer intends to develop the land and has requested that the City consent to the creation of a Municipal Utility District to be named Walsh Ranch Municipal Utility District for said land, and

WHEREAS, the City wishes to enter into a Consent Agreement with the Developer regarding the creation of Walsh Ranch Municipal Utility District, Now Therefore



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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Consent Agreement with Merion 100, L.P., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of October, 2005.

MOTION: Mayor Pro-tem McGraw moved to adopt the resolution. Councilmember

Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Salinas Councilmember Rhode Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Honeycutt

ACTION: The motion carried unanimously.

COUNCIL COMMENTS:

The Council thanked members of the Emergency Operations Center and the Round Rock Independent School District for all their help with the Hurricane Rita evacuees. There were about 1,300 individuals from the gulf coast in the City for about three night.

EXECUTIVE SESSION:

12.A. Executive Session as authorized by §551.087 Government Code, related to deliberation of an offer of a financial or other incentive to a business prospect that the City Council seeks to have locate in or near the City of Round Rock. (Seton Hospital)

Mayor Maxwell called the Executive Session to order at 8:36 p.m. and adjourned at 9:06 p.m. The Council returned to the City Council Chamber for adjournment with no discussion or action occurring.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary